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**State:** Illinois **Filing Company:** Fair American Insurance and Reinsurance Company

**TOI/Sub-TOI:** 11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry

**Product Name:** Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.

**Project Name/Number:** Rule Exception Submission/PS-14-005

## Filing at a Glance

Company: Fair American Insurance and Reinsurance Company

Product Name: Psychiatrists' Professional Liability Program for Psychiatrists' Purchasing Group, Inc.

State: Illinois

TOI: 11.0 Medical Malpractice - Claims Made/Occurrence

Sub-TOI: 11.0026 Psychiatry

Filing Type: Rule

Date Submitted: 04/16/2014

SERFF Tr Num: WESA-129501437

SERFF Status: Closed-Filed

State Tr Num:

State Status:

Co Tr Num: PRM-14-005

Effective Date: 05/01/2014

Requested (New):

Effective Date: 05/01/2014

Requested (Renewal):

Author(s): Westmont Associates

Reviewer(s): Gayle Neuman (primary)

Disposition Date: 04/17/2014

Disposition Status: Filed

Effective Date (New): 05/01/2014

Effective Date (Renewal): 05/01/2014

State Filing Description:

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<b>State:</b>	Illinois	<b>Filing Company:</b>	Fair American Insurance and Reinsurance Company
<b>TOI/Sub-TOI:</b>	11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry		
<b>Product Name:</b>	Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.		
<b>Project Name/Number:</b>	Rule Exception Submission/PS-14-005		

## General Information

Project Name: Rule Exception Submission	Status of Filing in Domicile: Pending
Project Number: PS-14-005	Domicile Status Comments: Pending in NY
Reference Organization: None	Reference Number: None
Reference Title: None	Advisory Org. Circular: None
Filing Status Changed: 04/17/2014	
State Status Changed:	Deemer Date:
Created By: Westmont Associates	Submitted By: Westmont Associates
Corresponding Filing Tracking Number:	

### Filing Description:

Enclosed please find Fair American Insurance and Reinsurance Company's (FAIRCO) rule submission for its currently approved Psychiatrists' Professional Liability Program for the Psychiatrists' Purchasing Group, Inc. (SERFF #:XXXXXXXXXXXX, approved on XX/XX/XXXX). A letter permitting Westmont Associates, Inc. to submit this filing on the Company's behalf is enclosed.

Effective May 1, 2014, FAIRCO will use the currently approved Psychiatrists' Professional Liability Program for both Risk Purchasing Group based risks and non-Risk Purchasing Group based risks. The attached rule page provides instruction on when to attach the previously approved Psychiatrists Professional Liability and Business Insurance Policy Notice form FAIR TPP0140 07 13 (informational copy attached for reference).

All other forms, rules, and rates remain unchanged. There is no rating impact as a result of this submission.

Your approval and/or acknowledgement of this submission is respectfully requested. Thank you for your attention to this matter.

## Company and Contact

### Filing Contact Information

Wesley Pohler, VP	wes@westmontlaw.com
1763 Marlton Pike East	856-216-0220 [Phone]
Suite 200	856-216-0303 [FAX]
Cherry Hill, NJ 08003	

### Filing Company Information

(This filing was made by a third party - westmontassociatesinc)

Fair American Insurance and Reinsurance Company	CoCode: 35157	State of Domicile: New York
One Liberty Plaza	Group Code: 501	Company Type: Property and Casualty
165 Broadway	Group Name: Transatlantic Holdings	State ID Number:
New York, NY 10006	FEIN Number: 13-3333610	
(212) 365-2200 ext. [Phone]		

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## Filing Fees

Fee Required?	Yes
Fee Amount:	\$50.00

**State:** Illinois **Filing Company:** Fair American Insurance and Reinsurance Company  
**TOI/Sub-TOI:** 11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry  
**Product Name:** Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.  
**Project Name/Number:** Rule Exception Submission/PS-14-005

Retaliatory? No  
Fee Explanation: IL FEE  
Per Company: Yes

Company	Amount	Date Processed	Transaction #
Fair American Insurance and Reinsurance Company	\$50.00	04/16/2014	81331086

## State Specific

Refer to our checklists prior to submitting filing ([http://insurance.illinois.gov/Prop\\_Cas\\_IS3\\_Checklists/IS3\\_Checklists.asp](http://insurance.illinois.gov/Prop_Cas_IS3_Checklists/IS3_Checklists.asp)): Understood

Refer to our updated (04/06/2007) SERFF General Instructions prior to submitting filing. They have been updated to clarify what rates and rules are required to be filed as well as what rates and rules are not required to be filed. Also, the "Product Name" is the Filing Title and not the Project Number.: Reviewed and complied

NO RATES and/or RULES ARE REQUIRED TO BE FILED FOR LINES OF COVERAGE SUCH AS COMMERCIAL AUTO (except taxicabs), BURGLARY AND THEFT, GLASS, FIDELITY, SURETY, COMMERCIAL GENERAL LIABILITY, CROP HAIL, COMMERCIAL PROPERTY, DIRECTORS AND OFFICERS, ERRORS AND OMISSIONS, COMMERCIAL MULTI PERIL just to mention a few. However, a Summary Sheet (RF-3) is required to be filed. Please refer to the State Specific Field below for what rates/rules are required to be filed and to our checklists for specific statutes, regulations, etc. :

[http://insurance.illinois.gov/Prop\\_Cas\\_IS3\\_Checklists/IS3\\_Checklists.asp](http://insurance.illinois.gov/Prop_Cas_IS3_Checklists/IS3_Checklists.asp) .: Understood

Medical Malpractice rates/rules may now be submitted using SERFF effective January 1, 2012.: Understood

The only rates and/or rules that are required to be filed are Homeowners, Mobile Homeowners, Dwelling Fire and Allied Lines, Workers' Compensation, Liquor Liability, Private Passenger Automobiles, Taxicabs, Motorcycles and Group Inland Marine Insurance which only applies to insurance involving personal property owned by, being purchased by or pledged as collateral by individuals, and not used in any business, trade or profession per Regulation Part 2302 which says in part, "each company shall file with the Director of Insurance each rate, rule and minimum premium before it is used in the State of Illinois.":

Understood

When selecting a form filing type for a multiple form filing, use the dominant type from these choices: APP - application; CER - certificate; COF - coverage form; DPS - declaration page; END - endorsement; POJ - policy jacket; ORG - Companies adopting an Advisory or Rating Organization's filing. Example: If you are submitting a policy as well as endorsements, a declaration page and an application, you would select "POL" for policy.: N/A

State:	Illinois	Filing Company:	Fair American Insurance and Reinsurance Company
TOI/Sub-TOI:	11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry		
Product Name:	Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.		
Project Name/Number:	Rule Exception Submission/PS-14-005		

## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Filed	Gayle Neuman	04/17/2014	04/17/2014

### Objection Letters and Response Letters

#### Objection Letters

Status	Created By	Created On	Date Submitted
Pending Industry Response	Gayle Neuman	04/16/2014	04/16/2014

#### Response Letters

Responded By	Created On	Date Submitted
Westmont Associates	04/16/2014	04/16/2014

<b>State:</b>	Illinois	<b>Filing Company:</b>	Fair American Insurance and Reinsurance Company
<b>TOI/Sub-TOI:</b>	11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry		
<b>Product Name:</b>	Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.		
<b>Project Name/Number:</b>	Rule Exception Submission/PS-14-005		

## Disposition

Disposition Date: 04/17/2014  
Effective Date (New): 05/01/2014  
Effective Date (Renewal): 05/01/2014  
Status: Filed

Comment:

Rate data does NOT apply to filing.

Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Explanatory Memorandum		Yes
Supporting Document	Form RF3 - (Summary Sheet)		Yes
Supporting Document	Certification		Yes
Supporting Document	Request to Maintain Data as Trade Secret Information		Yes
Supporting Document	Manual		Yes
Supporting Document	Cover Letter		Yes
Supporting Document	Letter of Authorization		Yes
Rate	TPP Rule Page		Yes

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**State:** Illinois **Filing Company:** Fair American Insurance and Reinsurance Company

**TOI/Sub-TOI:** 11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry

**Product Name:** Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.

**Project Name/Number:** Rule Exception Submission/PS-14-005

## Objection Letter

Objection Letter Status	Pending Industry Response
Objection Letter Date	04/16/2014
Submitted Date	04/16/2014
Respond By Date	04/23/2014

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Dear Wesley Pohler,

**Introduction:**

*This is to acknowledge receipt of your filing. Your submission is not acceptable for filing in Illinois due to the following reasons:*

*Please indicate if your company has a plan for the gathering of statistics or the reporting of statistics to statistical agencies? If yes, what stat agency is being used?*

**Conclusion:**

*Sign up to get e-mail notification for updates to the Department's website. <http://insurance.illinois.gov/RSS/>*

*Please refer to the appropriate Property Casualty IS3 Review Requirements Checklist before submitting any filing. The checklists are available at the Department's Web site or at the following link:*

*[http://insurance.illinois.gov/Prop\\_Cas\\_IS3\\_Checklists/IS3\\_Checklists.asp](http://insurance.illinois.gov/Prop_Cas_IS3_Checklists/IS3_Checklists.asp)*

*Please submit compliant form(s) no later than the date shown above or the entire filing may be disapproved. Please be advised that when the Director disapproves the form(s) you must immediately cease using the form(s) in Illinois.*

*Please give this matter your immediate attention. If you have any question regarding this filing please feel free to contact me.*

*Sincerely,*

*Gayle Neuman*

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**State:** Illinois **Filing Company:** Fair American Insurance and Reinsurance Company

**TOI/Sub-TOI:** 11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry

**Product Name:** Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.

**Project Name/Number:** Rule Exception Submission/PS-14-005

## Response Letter

Response Letter Status	Submitted to State
Response Letter Date	04/16/2014
Submitted Date	04/16/2014

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Dear Gayle Neuman,

**Introduction:**

Gayle,

Good afternoon.

**Response 1**

**Comments:**

We hereby confirm that the statistical agent is ISO.

**Changed Items:**

No Supporting Documents changed.

No Form Schedule items changed.

No Rate/Rule Schedule items changed.

**Conclusion:**

Best regards,

Wes

Sincerely,

Westmont Associates

State:	Illinois	Filing Company:	Fair American Insurance and Reinsurance Company
TOI/Sub-TOI:	11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry		
Product Name:	Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.		
Project Name/Number:	Rule Exception Submission/PS-14-005		

## Rate/Rule Schedule

Item No.	Schedule Item Status	Exhibit Name	Rule # or Page #	Rate Action	Previous State Filing Number	Attachments
1		TPP Rule Page	CW RULE EXCEPTION Ed. (4-14)	New		TPP Rule 2014.pdf



**FAIR AMERICAN INSURANCE AND REINSURANCE COMPANY  
PSYCHIATRISTS PROFESSIONAL LIABILITY INSURANCE PROGRAM  
MANUAL RULES EXCEPTION**

<b>Rule</b>	<b>Form Usage – Psychiatrists Professional Liability and Business Insurance Policy Notice – FAIR TPP0140 07 13</b>
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For those accounts that **are** associated with or members of the Psychiatrists’ Purchasing Group, Inc., attach Psychiatrists Professional Liability and Business Insurance Policy Notice form FAIR TPP0140 07 13.

For those accounts that **are not** associated with nor members of the Psychiatrists’ Purchasing Group, Inc., do not attach Psychiatrists Professional Liability and Business Insurance Policy Notice form FAIR TPP0140 07 13.

<b>State:</b>	Illinois	<b>Filing Company:</b>	Fair American Insurance and Reinsurance Company
<b>TOI/Sub-TOI:</b>	11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry		
<b>Product Name:</b>	Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.		
<b>Project Name/Number:</b>	Rule Exception Submission/PS-14-005		

## Supporting Document Schedules

<b>Satisfied - Item:</b>	Explanatory Memorandum
<b>Comments:</b>	Please refer to the below cover letter.
<b>Attachment(s):</b>	
<b>Item Status:</b>	
<b>Status Date:</b>	

<b>Bypassed - Item:</b>	Form RF3 - (Summary Sheet)
<b>Bypass Reason:</b>	N/A - not applicable.
<b>Attachment(s):</b>	
<b>Item Status:</b>	
<b>Status Date:</b>	

<b>Bypassed - Item:</b>	Certification
<b>Bypass Reason:</b>	N/A - rule filing only.
<b>Attachment(s):</b>	
<b>Item Status:</b>	
<b>Status Date:</b>	

<b>Bypassed - Item:</b>	Request to Maintain Data as Trade Secret Information
<b>Bypass Reason:</b>	N/A - not applicable.
<b>Attachment(s):</b>	
<b>Item Status:</b>	
<b>Status Date:</b>	

<b>Satisfied - Item:</b>	Manual
<b>Comments:</b>	Understood
<b>Attachment(s):</b>	
<b>Item Status:</b>	
<b>Status Date:</b>	

<b>Satisfied - Item:</b>	Cover Letter
<b>Comments:</b>	Please refer to the attached cover letter.
<b>Attachment(s):</b>	Cover Letter Final Filing PRM-14-005.pdf
<b>Item Status:</b>	
<b>Status Date:</b>	

<b>State:</b>	Illinois	<b>Filing Company:</b>	Fair American Insurance and Reinsurance Company
<b>TOI/Sub-TOI:</b>	11.0 Medical Malpractice - Claims Made/Occurrence/11.0026 Psychiatry		
<b>Product Name:</b>	Psychiatrists Professional Liability Program for Psychiatrists Purchasing Group, Inc.		
<b>Project Name/Number:</b>	Rule Exception Submission/PS-14-005		

<b>Satisfied - Item:</b>	Letter of Authorization
<b>Comments:</b>	Attached is the letter of authorization.
<b>Attachment(s):</b>	2014 Letter of Auth.pdf
<b>Item Status:</b>	
<b>Status Date:</b>	



April 15, 2014

Department of Insurance  
Property and Casualty Division  
Rate/Rule Review Section

**RE: Fair American Insurance and Reinsurance Company**  
**NAIC#: 35157/FEIN#: 13-3333610**  
**Psychiatrists' Professional Liability Program for Psychiatrists' Purchasing Group, Inc.**  
**Rule Exception Submission**  
**Company Filing Number: PRM-14-005**  
**Effective Date: May 1, 2014 or Earliest Possible Effective Date**

To Whom It May Concern:

Enclosed please find Fair American Insurance and Reinsurance Company's (FAIRCO) rule submission for its currently approved Psychiatrists' Professional Liability Program for the Psychiatrists' Purchasing Group, Inc. A letter permitting Westmont Associates, Inc. to submit this filing on the Company's behalf is enclosed.

Effective May 1, 2014, FAIRCO will use the currently approved Psychiatrists' Professional Liability Program for both Risk Purchasing Group based risks and non-Risk Purchasing Group based risks. The attached rule page provides instruction on when to attach the previously approved Psychiatrists Professional Liability and Business Insurance Policy Notice form FAIR TPP0140 07 13 (informational copy attached for reference).

All other forms, rules, and rates remain unchanged. There is no rating impact as a result of this submission.

Your approval and/or acknowledgement of this submission is respectfully requested. Thank you for your attention to this matter.

Respectfully submitted,

***Wesley Pohler***

Wesley Pohler  
Vice-President  
[wes@westmontlaw.com](mailto:wes@westmontlaw.com)

Enclosures

cc: N. Stepanski  
J. Palumbo  
E. Kelley



January 1, 2014

RE: Fair American Insurance and Reinsurance Company  
NAIC#: 35157  
FEIN#: 13-3333610  
Letter of Authorization  
Filing of Forms, Rates and Rules

To whom it may concern:

In accordance with the applicable statutes and regulations of your state, Nancy Stepanski, Wesley Pohler, Jennifer Waldron and Westmont Associates, Inc. are hereby authorized to file form, rate and rule filings on behalf of the Company.

Sincerely,

Edward J. Kelley  
Senior Vice President and Deputy General Counsel